

Penny Lewis

July 9, 2021

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IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF OKLAHOMA

LAURIE GARLAND, an individual,)
)
Plaintiff)
)
v.) CIV-2020-306-RAW
)
STATE OF OKLAHOMA EX REL)
OKLAHOMA DEPARTMENT OF)
CORRECTIONS, CHRISTOPHER)
REDEAGLE, individually; SHARON)
MCCOY, individually; JOE)
ALLBAUGH, individually; PENNY)
LEWIS, individually; RABEKAH)
MOONEYHAM, individually;)
HEATHER CARLSON, individually;)
BOARD OF CORRECTIONS,)
)
Defendants.)

DEPOSITION OF
PENNY SUE LEWIS
HELD IN TULSA, OKLAHOMA
ON JULY 9TH, 2021

Prepared by: DEBORAH S. (DEBI) REINHARDT, CCR, CSR

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1 A. The job title, I am the admin- -- chief
2 administrator of auditing and compliance.

3 Q. And how long have you had that job?

4 A. Since 1997. It --

5 Q. Twenty-some years.

6 A Titles have changed.

7 Q. Okay.

8 A. And duties have changed throughout time.

9 Q. Okay. Well, the case I'm here on is a civil
10 rights, sexual abuse, sexual harassment case.

11 Are you aware of that?

12 A. Yes.

13 Q. Okay. Would you be in charge of auditing
14 and compliance of the PREA Act?

15 A. No.

16 Q. Would you be in charge of compliance and
17 auditing of how the Eddie Warrior Correctional
18 Center is run?

19 A. Operationally?

20 Q. Uh-huh.

21 A. Yes.

22 Q. Okay. Just in a nutshell, tell me what your
23 job entails.

24 A. We inspect facilities by compliance with
25 agency policy, oper- -- for operational functions.

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1 Q. Just getting -- your -- your compliance unit
2 is to make sure that correctional facilities are in
3 compliance with existing policy, is that right, or
4 law?

5 A. Yeah. As -- we have specific things
6 operationally. If it's a physical plant, life
7 safety, those are the things that we -- we assess.

8 Q. Okay. I'm sure I'm going over very basic
9 stuff to you, but I'm just trying to get a framework
10 for my brain.

11 A. Oh, that's fine.

12 Q. Okay. So I've I handed you Plaintiff's
13 Exhibit Number 1.

14 A. Uh-huh.

15 Q. Do you see on the bottom right there's Bates
16 stamps 6017?

17 A. Correct.

18 Q. Okay. If I turn to the 6072, it's called a
19 summary. There's -- midway down there's a table.
20 It says, competency. Is this talking about who the
21 actual auditor was for these one, two, three, four,
22 five, six -- six -- six areas?

23 A. Yes.

24 Q. Okay. And these people, these auditors,
25 they all work under you or in your department?

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1 that's the facility's portion.

2 Q. Okay. Okay. If I go back to, let me see,
3 6073, which is the summary of findings --

4 A. Um-hm.

5 Q. -- he's going over administration, armory,
6 and CERT.

7 Do any of these pertain to PREA?

8 A. No.

9 Q. Okay. So there's no auditing as far as if
10 any sort of sexual harassment or sexual abuse is
11 occurring?

12 A. Not from my unit.

13 Q. Not from your unit. Is there a different
14 unit that would be auditing that?

15 A. Yes. Yes.

16 Q. Okay. And who would that be?

17 A. It's the PREA unit.

18 Q. Do you know who heads up the PREA unit?

19 A. Oversight is general counsel. The actual
20 administrator is Carla Braggs.

21 Q. Carla?

22 A. B-R-A-G-G-S.

23 Q. Okay. The fourth one down says control of
24 contraband and physical evidence.

25 A. Yes.

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1 A. Okay. Well, I'm gonna have to hold it.

2 To encourage informal contact with seven inmates
3 and to observe living and working conditions as well
4 as ensure facility safety and sanitation are
5 maintained, the facility head, assistant facility
6 head, chief of security, and designated department
7 heads, as specified in local procedures, will
8 conduct weekly visits to areas to be inspected,
9 including inmate living, work/industry, food
10 service, program, and additional areas as designated
11 by the facility head.

12 Q. Okay. So the administration of the Eddie
13 Warrior Correctional Center, they're supposed to go
14 around and informally talk to people though, staff
15 and inmates, to kind of observe what's going on; is
16 that correct?

17 A. Yes.

18 Q. Okay. There was the finding here that there
19 was no documentation showing that all areas -- areas
20 of the facility have been visited by the faculty
21 head, deputy, or chief.

22 Do you see that?

23 A. Yes.

24 Q. I can't tell whether that means that it was
25 done, it just wasn't reported?

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1 Can you -- can you tell whether it was done or
2 not done?

3 A. No.

4 Q. Okay. If we wanted to find out more on
5 that, would we have to ask for -- or what would we
6 ask for to find out on that?

7 MS. HAWKINS: Object to form.

8 THE WITNESS: I'm trying to --
9 I'm trying to think of a document that would show
10 you that. Let me read their plan of action real
11 quick.

12 Q. (MR. DALTON:) Sure.

13 A. Um, they -- they have -- I don't know that
14 we would find it on my side, but a request for a
15 tour log or a log may be of assistance.

16 Q. If we just look at the corrective action, it
17 looks like starting July 31st of '18 they're going
18 to start completing documentation. And it looks
19 like then they're gonna start scheduling weekly
20 tours of the facility between the three -- three
21 administrators.

22 Does that look like what they're gonna do?

23 A. That was their response.

24 Q. They're basically saying, "We're gonna start
25 doing this more if all three of them do it weekly?"